

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE
SECOND REGULAR SESSION
26th Legislative Day
Friday, March 21, 2014

The House met according to adjournment and was called to order by the Speaker.

Prayer by Most Reverend Robert P. Deeley, J.C.D., Bishop of the Diocese of Portland.

Pledge of Allegiance.

Doctor of the day, Christine James, D.O., Portland.

The Journal of yesterday was read and approved.

Under suspension of the rules, members were allowed to remove their jackets.

The following items were taken up out of order by unanimous consent:

REPORTS OF COMMITTEE

Ought to Pass Pursuant to Joint Order

Representative ROTUNDO for the **Joint Standing Committee on Appropriations and Financial Affairs** on Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government To Address Supplemental Funding Needs Projected for the Fiscal Year Ending June 30, 2014 and To Adjust Funding for the Fiscal Year Ending June 30, 2015" (EMERGENCY)

(H.P. 1325) (L.D. 1843)

Reporting **Ought to Pass** pursuant to Joint Order, H.P. 1284.

Report was **READ** and **ACCEPTED**. The Bill was **READ ONCE**.

Under suspension of the rules the Bill was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Under further suspension of the rules the Bill was **PASSED TO BE ENGROSSED** and sent for concurrence.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following item appeared on the Consent Calendar for the First Day:

(H.P. 1298) (L.D. 1807) Bill "An Act To Restore Funding in the Maine Budget Stabilization Fund through Alternative Sources" (EMERGENCY) Committee on **APPROPRIATIONS AND FINANCIAL AFFAIRS** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-720)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the House Paper was **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

SENATE PAPERS

The following Joint Order: (S.P. 742)

ORDERED, the House concurring, that the Joint Standing Committee on Environment and Natural Resources shall report

out, to the Senate, a bill to amend the laws governing metallic mineral mining.

Came from the Senate, **READ** and **PASSED**.

READ and **PASSED** in concurrence.

Bill "An Act To Provide Former Employees of the Maine Military Authority the Ability To Sue for Severance Pay"

(S.P. 740) (L.D. 1837)

Committee on **JUDICIARY** suggested and ordered printed.

Came from the Senate, **REFERRED** to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** and ordered printed.

REFERRED to the Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** in concurrence.

PETITIONS, BILLS AND RESOLVES REQUIRING REFERENCE

Bill "An Act To Amend the Laws Governing the Temporary Assistance for Needy Families Program"

(H.P. 1324) (L.D. 1842)

Sponsored by Representative GILLWAY of Searsport. (GOVERNOR'S BILL)

Cosponsored by Senator HAMPER of Oxford and Representatives: FITZPATRICK of Houlton, NADEAU of Fort Kent, SANDERSON of Chelsea, SIROCKI of Scarborough, WALLACE of Dexter, Senator: WHITEMORE of Somerset.

Committee on **HEALTH AND HUMAN SERVICES** suggested and ordered printed.

REFERRED to the Committee on **HEALTH AND HUMAN SERVICES** and ordered printed.

Sent for concurrence.

**Pursuant to Statute
Revisor of Statutes**

Representative PRIEST for the **Revisor of Statutes** pursuant to the Maine Revised Statutes, Title 1, section 94 asks leave to report that the accompanying Bill "An Act To Correct Errors and Inconsistencies in the Laws of Maine" (EMERGENCY)

(H.P. 1323) (L.D. 1841)

Be **REFERRED** to the Committee on **JUDICIARY** and printed pursuant to Joint Rule 218.

Report was **READ** and **ACCEPTED** and the Bill **REFERRED** to the Committee on **JUDICIARY** and ordered printed pursuant to Joint Rule 218.

Sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

ORDERS

On motion of Representative TREAT of Hallowell, the following Joint Resolution: (H.P. 1322) (Cosponsored by Senator GRATWICK of Penobscot)

**JOINT RESOLUTION RECOGNIZING
MAINE'S CREDIT UNIONS**

WHEREAS, Maine's credit unions are member-owned and member-governed financial cooperatives dedicated and committed to serving the needs of their members and communities. The nonprofit structure of credit unions provides each member with an equal voice and representation in the operations of the credit union. Serving members in all 16 Maine counties and in every community, Maine's credit unions operate with the primary purpose of benefiting the more than 636,000 Maine consumers who use credit unions; and

WHEREAS, the economic benefit that Maine's credit unions provide to Maine consumers is approximately \$38,000,000 annually, as a result of lower and fewer fees on products and services, lower interest rates on loans and higher interest rates on savings; and

WHEREAS, Maine is once again ranked as the nation's 5th strongest credit union state based on the percentage of the population that uses a credit union, a position Maine has held for 11 consecutive years. With more than 636,000 members, credit unions serve nearly one in every 2 Maine residents; and

WHEREAS, the 2,150 full-time and part-time employees of Maine's credit unions and the more than 1,000 unpaid volunteers who serve on credit union boards and committees demonstrate the core credit union values, philosophy and mission of people helping people by contributing to the communities they serve; and

WHEREAS, since 1990 Maine's credit unions and their members have raised \$5,300,000 to help end hunger in Maine, including a record-setting \$513,309 in 2013. One hundred percent of all money that is raised through the Maine Credit Unions' Campaign for Ending Hunger stays in Maine and goes directly to assist thousands of Maine families and individuals who otherwise would go hungry. In addition to contributing thousands of dollars to food pantries in communities across the State, Maine's credit unions also help to provide funds for statewide initiatives to help end hunger, such as being the primary source of funding for the State's only Food Mobile. In partnership with the Good Shepherd Food Bank, the Food Mobile has delivered over 3,800,000 pounds of food to food pantries in every Maine county since it began in 2005, which equals nearly 3,200,000 meals for Mainers in need; and

WHEREAS, the Maine Credit Unions' Campaign for Ending Hunger has also recently announced its multiyear commitment to the Good Shepherd Food Bank's efforts to end childhood hunger in Maine with its support of the Good Shepherd Food Bank's Backpack and School Pantry programs, as well as other childhood hunger initiatives; and

WHEREAS, in 2013 Maine's credit unions contributed more than \$1,000,000 to a variety of causes and to a number of organizations, such as financial literacy programs, the American Red Cross and Special Olympics. In the past 11 years, members of Maine's credit unions contributed more than 293,000 hours, including more than 37,000 hours last year, volunteering for organizations and activities in communities throughout the State, making a significant and positive impact not only on the organizations that received this assistance but also on the people who were served by and benefited from the services and resources provided; and

WHEREAS, since 1921 Maine's credit unions have been enhancing the lives of thousands of Maine people, who have

been helped to financial success and stability. Throughout Maine, credit unions continue to play a vital economic and socially responsible role in the lives of individuals and remain a local, significant and stable presence in the communities they serve; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature, now assembled in the Second Regular Session, take this opportunity to recognize the Maine Credit Union League and Maine's credit unions for their positive contributions and the significant role they have played in the lives of Maine citizens and their communities for more than 90 years. Their service and dedication to this State are a tribute to those values and principles that we all hold dear; and be it further

RESOLVED: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Maine Credit Union League and its 61 member credit unions.

READ.

The SPEAKER: The Chair recognizes the Representative from Hallowell, Representative Treat.

Representative TREAT: Thank you very much, Mr. Speaker. Mr. Speaker, Men and Women of the House. I just wanted to let you know that today is Credit Union Day and this Resolution honors our Maine credit unions. If you go downstairs, you will be able to see them between 11 and 1, and I just wanted to mention a couple of things that are in this Resolution that I hope you will take the time to read, one of which is that they contribute \$38 million annually to our economy in the form of business with Maine consumers. Secondly, that Maine credit unions employ over 2,000 people and also have 1,000 volunteers because, of course, they are a nonprofit model of business. Thirdly, that the credit unions are a tremendous force in our society for good, in terms of their volunteer efforts, especially around ending hunger. If you read the Resolution, you'll see the many different things that the credit unions and the people who work for the credit unions and volunteer for the credit unions have done to end hunger in Maine. So I hope you'll support me in supporting this Resolution. Thank you.

Subsequently, the Joint Resolution was **ADOPTED**.

Sent for concurrence.

On motion of Representative RANKIN of Hiram, the following House Order: (H.O. 41)

ORDERED, that Representative Sheryl J. Briggs of Mexico be excused March 6 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Matthea Elisabeth Larsen Daughtry of Brunswick be excused March 6 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Peter Doak of Columbia Falls be excused March 6, 11 and 12 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Richard S. Malaby of Hancock be excused March 11 and 12 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Anita Peavey Haskell of Milford be excused March 12 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Jane P. Pringle of Windham be excused March 11 and 12 for health reasons.

AND BE IT FURTHER ORDERED, that Representative Sharon Anglin Treat of Hallowell be excused March 11 for legislative business.

AND BE IT FURTHER ORDERED, that Representative Thomas M. Tyler of Windham be excused March 18 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Amy Fern Volk of Scarborough be excused March 4, 5 and 6 for personal reasons.

AND BE IT FURTHER ORDERED, that Representative Stephen J. Wood of Sabattus be excused February 27 for personal reasons.

READ and PASSED.

REPORTS OF COMMITTEE

Divided Report

Majority Report of the Committee on **HEALTH AND HUMAN SERVICES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-704)** on Bill "An Act To Increase Health Security by Expanding Federally Funded Health Care for Maine People"

(H.P. 1149) (L.D. 1578)

Signed:

Senators:

CRAVEN of Androscoggin
LACHOWICZ of Kennebec

Representatives:

FARNSWORTH of Portland
DORNEY of Norridgewock
GATTINE of Westbrook
PETERSON of Rumford
STUCKEY of Portland

Minority Report of the same Committee reporting **Ought Not to Pass** on same Bill.

Signed:

Senator:

HAMPER of Oxford

Representatives:

MALABY of Hancock
McELWEE of Caribou
SANDERSON of Chelsea
SIROCKI of Scarborough

READ.

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **ACCEPTANCE** of either Report and later today assigned.

CONSENT CALENDAR

First Day

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(S.P. 719) (L.D. 1802) Bill "An Act To Allocate a Portion of the Reed Act Distribution of 2002 To Use for the Administration of the Unemployment Insurance and Employment Services Programs" (EMERGENCY) Committee on **LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (S-437)**

(H.P. 1279) (L.D. 1787) Bill "An Act To Clarify the Enforcement Provisions Relating to Motor Carrier Registration" Committee on **TRANSPORTATION** reporting **Ought to Pass**

(H.P. 1210) (L.D. 1687) Bill "An Act To Create Parity for Proprietary Information Submitted to the Department of Marine Resources" Committee on **MARINE RESOURCES** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-715)**

(H.P. 1231) (L.D. 1721) Bill "An Act To Make Changes to and Clarify Maine Traveler Information Services Laws" Committee on **TRANSPORTATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-716)**

Under suspension of the rules, Second Day Consent Calendar notification was given.

There being no objection, the Senate Paper was **PASSED TO BE ENGROSSED as Amended** in concurrence and the House Papers were **PASSED TO BE ENGROSSED** or **PASSED TO BE ENGROSSED as Amended** and sent for concurrence.

ENACTORS

Emergency Measure

An Act To Make Technical Changes to Marine Resources Laws

(H.P. 1176) (L.D. 1604)
(C. "A" H-682)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 127 voted in favor of the same and 0 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Further Protect Patient Access to Safe Medical Marijuana by Allowing Dispensaries To Purchase Excess Marijuana from Other Dispensaries

(H.P. 1195) (L.D. 1623)
(C. "A" H-691)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 108 voted in favor of the same and 16 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Prohibit Motorized Recreational Gold Prospecting in Class AA Waters and Certain Atlantic Salmon and Brook Trout Habitats

(S.P. 646) (L.D. 1671)
(C. "A" S-424)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

Emergency Measure

An Act To Make Available to the Public Certain Information Concerning the Alcohol Content of Malt Liquor, Wine and Spirits
(H.P. 1265) (L.D. 1763)
(C. "A" H-685)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 129 voted in favor of the same and 3 against, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act To Establish the Criminal Law Revision Commission
(S.P. 700) (L.D. 1765)
(C. "A" S-426)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

Representative BERRY of Bowdoinham **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: The Chair recognizes the Representative from Freedom, Representative Jones.

Representative JONES: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. This question has already been decided. Isn't the request of a roll call superfluous?

The SPEAKER: The Chair would answer in the negative. The vote was not announced. A roll call is in order.

On motion of Representative BERRY of Bowdoinham, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned. (Roll Call Ordered)

Emergency Measure

An Act To Allow All Current Members and Veterans of the United States Armed Forces To Be Eligible for In-state Tuition Rates

(H.P. 1267) (L.D. 1768)
(C. "A" H-695)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

Representative McCABE of Skowhegan **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 552

YEA - Beaudoin, Beaulieu, Beavers, Beck, Bennett, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Duprey, Espling, Evangelos, Farnsworth, Fitzpatrick, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Gillway, Goode, Graham, Grant, Guerin, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hubbell, Johnson P, Jones, Jorgensen, Kaenrath, Keschl, Kinney, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Lockman, Long, Longstaff, Luchini,

MacDonald S, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, McGowan, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau A, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Peavey Haskell, Peoples, Peterson, Pouliot, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Sanborn, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - NONE.

ABSENT - Ayotte, Black, Crockett, Hobbins, Jackson, Johnson D, Kent, Malaby, McLean, Pease, Plante, Powers, Rykerson, Stanley.

Yes, 137; No, 0; Absent, 14; Excused, 0.

137 having voted in the affirmative and 0 voted in the negative, with 14 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Regarding Legislative Review of Portions of Chapter 115: Certification, Authorization and Approval of Education Personnel, a Late-filed Major Substantive Rule of the Department of Education

(H.P. 1272) (L.D. 1774)
(C. "A" H-688)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 135 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Emergency Measure

Resolve, Regarding Legislative Review of Chapter 12: Rules for Mixed Martial Arts, a Late-filed Major Substantive Rule of the Combat Sports Authority of Maine

(H.P. 1285) (L.D. 1793)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken. 130 voted in favor of the same and 0 against, and accordingly the Resolve was **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

Acts

An Act To Amend the Veterans' Services Laws

(H.P. 1184) (L.D. 1612)
(C. "A" H-694)

An Act To Clarify the Law Governing Public Disclosure of Health Care Prices

(S.P. 633) (L.D. 1642)
(C. "A" S-431)

An Act To Amend the Anson and Madison Water District Charter

(H.P. 1217) (L.D. 1693)
(C. "A" H-689)

An Act To Preserve Maine's Long-term Care Facilities

(H.P. 1251) (L.D. 1745)
(C. "A" H-690)

An Act To Preserve Certain Rights Granted to Maine Public Service Company before Its Merger with Bangor Hydro Electric Company

(S.P. 693) (L.D. 1752)
(C. "A" S-429)

An Act To Make Technical Amendments to the Criminal History Record Information Act and the Intelligence and Investigative Record Information Act and a Related Provision in the Maine Revised Statutes, Title 20-A

(S.P. 709) (L.D. 1782)
(C. "A" S-427)

An Act To Implement the Recommendations of the Task Force Convened by the Maine Labor Relations Board Regarding Compensation for the Panel of Mediators

(H.P. 1290) (L.D. 1798)
(C. "A" H-702)

An Act To Update Statutory Dates for the State Government Evaluation Act Review of Agencies

(H.P. 1292) (L.D. 1800)
(C. "A" H-681)

An Act To Implement the Recommendations of the Review Committee Established To Examine the Impact of Unfunded Education Mandates and Other Regulatory Burdens

(S.P. 720) (L.D. 1805)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

Resolves

Resolve, To Amend the Resolve To Promote the Expansion of the Maine Maple Sugar Industry

(H.P. 1274) (L.D. 1777)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed, **FINALLY PASSED**, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair recognizes the Representative from Freedom, Representative Jones, who wishes to address the House on the record.

Representative **JONES**: Thank you, Mr. Speaker. I rise in a question of rules and parliamentary procedure.

The SPEAKER: The Representative may proceed.

Representative **JONES**: Mr. Speaker, my understanding is that if a vote is held on enactment, that is basically a de facto division of the House and my question, once again, is if the decision, and I refer specifically to Item 10-5 which is LD 1765, if the decision of the House is indeed complete, why a roll call is in order.

The SPEAKER: As it relates to 10-5, a roll call was requested. We did go through a roll call. Until the vote is announced, any member can ask for a roll call. So, in that instance, there is an emergency measure, 101 votes required for its final enactment, and the Representative from Bowdoinham, Representative Berry, requested a roll call prior to announcing the vote.

An Act To Amend the Laws Governing Retirement Benefits for Capitol Police Officers

(S.P. 412) (L.D. 1175)
(C. "A" S-413)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative FREDETTE of Newport, was **SET ASIDE**.

The same Representative **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 553

YEA - Beaudoin, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J., Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Dorney, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Hamann, Harlow, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jorgensen, Kaenrath, Kent, Keschl, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald W., Maker, Marean, Marks, Mason, Mastraccio, McCabe, McGowan, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Nutting, Parry, Peoples, Peterson, Pouliot, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Tipping-Spitz, Treat, Turner, Verow, Villa, Volk, Welsh, Werts, Winchenbach, Mr. Speaker.

NAY - Beaulieu, Bennett, Campbell R, Crafts, Cray, Davis, Doak, Dunphy, Duprey, Espling, Fitzpatrick, Fredette, Gifford, Gillway, Guerin, Harvell, Johnson P, Jones, Kinney, Knight, Libby A, Lockman, Long, MacDonald S, McClellan, McElwee, Nadeau A, Newendyke, Peavey Haskell, Reed, Sanborn, Sanderson, Timberlake, Tyler, Wallace, Weaver, Willette, Wilson, Winsor, Wood.

ABSENT - Ayotte, Black, Crockett, Jackson, Johnson D, Malaby, McLean, Pease, Plante, Powers, Rykerson, Sirocki.

Yes, 99; No, 40; Absent, 12; Excused, 0.

99 having voted in the affirmative and 40 voted in the negative, with 12 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

An Act Relating to Nursing Facility and Inpatient Hospice Patients and Medical Marijuana Use

(S.P. 706) (L.D. 1779)
(C. "A" S-430)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

On motion of Representative BERRY of Bowdoinham, was **SET ASIDE**.

On further motion of the same Representative, **TABLED** pending **PASSAGE TO BE ENACTED** and later today assigned.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

The following items were taken up out of order by unanimous consent:

UNFINISHED BUSINESS

The following matter, in the consideration of which the House was engaged at the time of adjournment yesterday, had preference in the Orders of the Day and continued with such preference until disposed of as provided by House Rule 502.

HOUSE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (H-705)** - Minority (4) **Ought Not to Pass** - Committee on **HEALTH AND HUMAN SERVICES** on Resolve, To Establish the Blue Ribbon Commission on Independent Living and Disability (EMERGENCY)

(H.P. 1261) (L.D. 1757)

TABLED - March 20, 2014 (Till Later Today) by Representative KNIGHT of Livermore Falls.

PENDING - Motion of Representative FARNSWORTH of Portland to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report. (Roll Call Ordered)

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Peterson.

Representative **PETERSON**: Thank you, Mr. Speaker. Mr. Speaker, Men and Women of the House. I hope that the extra time to explore this bill a bit further was helpful to people. Before we vote, I'd just like to once again stress the point that I made in my remarks yesterday, and that's that we literally have the power to vote today to send a clear message that challenges our expectations about the experiences of people living with a disability. Make no mistake it about it—that's the clear opportunity in front of us right now.

It's one thing to tell the advocacy and provider communities to go figure it out on their own, and it's quite another for us to make a declaration as a legislative body to formally acknowledge the value of this work. To recognize that we believe that there are solutions to barriers, both architectural and attitudinal, that can be overcome by assembling and coordinating the best thinking available in this area, the experts in the field, and focusing them with a clear directive, with definable parameters and a deadline to produce a measurable outcome.

The bill before us today provides us with a proactive approach for accomplishing this critical work. And if we really want to challenge the definitions and ultimately change the prospects of what is possible for people living with a disability on a widespread systemic basis, the creation of this commission is an aggressive step forward toward reaching that goal that we all share of seeing more healthy engagement at all levels of society from all Maine citizens.

Mr. Speaker, I'd like to thank all of my colleagues across this chamber for their attention and thoughtful consideration of this bill. I have great respect for all of you and I've truly appreciated this discussion. And I'd just like to note in closing, that I believe that it's fair for people to ask more from themselves and to ask more from our fellow citizens. And if you share this belief, I ask that you vote with me in affirming our commitment to redefining the possibilities and changing expectations. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from North Yarmouth, Representative Graham.

Representative **GRAHAM**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I rise in strong support of this bill for the hard work of the good Representative from Rumford, Representative Peterson. It was brought up yesterday that we have far too many boards and far too many commissions. I want to let the body know that my committee, State and Local Government, actually has a law. We have a law. We repeal boards and commissions that aren't effective, that aren't working, and so rest assured that boards and commissions that don't do their work are eliminated. This is not one. This blue ribbon commission will do its work and report by this coming November. But the main reason I rise is because I worked for several years in a neurology practice. I worked with families who have children who have severe neurological disease. One day, I

had a patient and her mom. The little girl had a very severe neurological disease. I looked at the mom and I told her, I said, patted her on the shoulder and said, "I understand." She looked at me with such anger and said, "No, you don't." The lesson I learned that day I will carry forward. What I ask all of you to think about is that lesson. I can't begin to understand what it means to live with a disability. I can't begin to understand what it means to live independently with a disability. The people that will be on this commission get it. They get it, they understand, and I am sure they will bring forward recommendations that will make a difference in their lives and, quite honestly, all of our lives. So, with that, please support this bill. It's very important. Again, I want to thank the good Representative from Rumford for being so strong and standing for this important work. Thank you, Mr. Speaker.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Farnsworth.

Representative **FARNSWORTH**: Thank you, Mr. Speaker. Mr. Speaker, Ladies and Gentlemen of the House. I'll make this very quick. Three points. One is that we pay a lot of lip service to total inclusion for people with disabilities and yet not taking the steps in order to make appropriate plans for this seems to me to be a major failure. Secondly, I think we need to take a look at when we talk about this, about saying inclusion means inclusion in terms of housing, transportation and work, and everybody is well aware of the fact that people with disabilities have a much higher unemployment rate than the general population. This is an important issue that needs to be addressed effectively and this would be a vehicle to do that. Thank you very much.

The SPEAKER: A roll call having been previously ordered, the pending question before the House is Acceptance of the Majority Ought to Pass as Amended Report. All those in favor will vote yes, those opposed will vote no.

ROLL CALL NO. 554

YEA - Beaudoin, Beaulieu, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Casavant, Cassidy, Chapman, Chase, Chenette, Chipman, Cooper, Cotta, Crafts, Cray, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Duprey, Evangelos, Farnsworth, Fowle, Frey, Gattine, Gideon, Gilbert, Gillway, Goode, Graham, Grant, Hamann, Harlow, Harvell, Hayes, Herbig, Hickman, Hobbins, Hubbell, Jones, Jorgensen, Kaenrath, Kent, Keschl, Knight, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby N, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McGowan, Monaghan-Derrig, Moonen, Moriarty, Morrison, Nadeau C, Nelson, Noon, Parry, Peavey Haskell, Peoples, Peterson, Pouliot, Priest, Pringle, Rankin, Rochelo, Rotundo, Russell, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Tyler, Verow, Villa, Volk, Weaver, Welsh, Werts, Wilson, Winchenbach, Mr. Speaker.

NAY - Bennett, Clark, Davis, Espling, Fitzpatrick, Fredette, Gifford, Guerin, Johnson P, Kinney, Libby A, Lockman, Long, McElwee, Nadeau A, Newendyke, Nutting, Reed, Sanderson, Turner, Wallace, Willette, Wood.

ABSENT - Ayotte, Black, Crockett, Dunphy, Jackson, Johnson D, Malaby, McLean, Pease, Plante, Powers, Rykerson, Sirocki, Winsor.

Yes, 114; No, 23; Absent, 14; Excused, 0.

114 having voted in the affirmative and 23 voted in the negative, with 14 being absent, and accordingly the Majority **Ought to Pass as Amended** Report was **ACCEPTED**.

The Resolve was **READ ONCE**. **Committee Amendment "A" (H-705)** was **READ** by the Clerk and **ADOPTED**.

Under suspension of the rules the Resolve was given its **SECOND READING WITHOUT REFERENCE** to the Committee on **Bills in the Second Reading**.

Subsequently, under further suspension of the rules the Resolve was **PASSED TO BE ENGROSSED as Amended by Committee Amendment "A" (H-705)** and sent for concurrence.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

SENATE PAPERS Non-Concurrent Matter

Bill "An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government To Address Supplemental Funding Needs Projected for the Fiscal Year Ending June 30, 2014 and To Adjust Funding for the Fiscal Year Ending June 30, 2015" (EMERGENCY)

(H.P. 1325) (L.D. 1843)

PASSED TO BE ENGROSSED in the House on March 21, 2014.

Came from the Senate **PASSED TO BE ENGROSSED AS AMENDED BY SENATE AMENDMENT "A" (S-445)** in **NON-CONCURRENCE**.

The House voted to **RECEDE AND CONCUR**.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

The following Joint Resolution: (S.P. 744)

JOINT RESOLUTION RECOGNIZING SUNSHINE WEEK, MARCH 16-22, 2014

WHEREAS, James Madison, generally regarded as the father of our federal Constitution, wrote that "a people who mean to be their own Governors, must arm themselves with the power which knowledge gives"; and

WHEREAS, every citizen in our participatory democracy has an inherent right of access to government meetings and public records; and

WHEREAS, an open and accessible government is vital to establishing and maintaining the people's trust and confidence in their government and in the government's ability to effectively serve its citizens; and

WHEREAS, the protection of every person's right of access to public records and government meetings is a high priority for the State of Maine; and

WHEREAS, Sunshine Week was established to spark a discussion about the importance of open government and public access to government documents and meetings; now, therefore, be it

RESOLVED: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the Second Regular Session, on behalf of the people we represent, take this opportunity to recognize Sunshine Week: Your Right to Know during the week of March 16-22, 2014 and confirm our commitment to openness and transparency in all aspects of our operations and to setting a standard in this regard; and be it further

RESOLVED: That we commemorate the anniversary of James Madison's birth during Sunshine Week and we commit to

work diligently to enhance the public's access to government records and information, to increase information provided electronically and online and to ensure that all meetings of deliberative bodies in the State, and their committees, are fully noticed and open to the public.

Came from the Senate, **READ** and **ADOPTED**.

READ and **ADOPTED** in concurrence.

ENACTORS Emergency Measure

An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government To Address Supplemental Funding Needs Projected for the Fiscal Year Ending June 30, 2014 and To Adjust Funding for the Fiscal Year Ending June 30, 2015

(H.P. 1325) (L.D. 1843)

(S. "A" S-445)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

Representative FREDETTE of Newport **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 555

YEA - Beaudoin, Beaulieu, Beavers, Beck, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Campbell R, Carey, Cassidy, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Daughtry, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Espling, Evangelos, Farnsworth, Fowle, Fredette, Frey, Gattine, Gideon, Gilbert, Goode, Graham, Grant, Guerin, Hamann, Hayes, Herbig, Hickman, Hobbins, Hubbell, Johnson P, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, Monaghan-Derrig, Moriarty, Morrison, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Peoples, Peterson, Pouliot, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Sanborn, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Bennett, Davis, Gifford, Jones, Long, Sanderson.

ABSENT - Ayotte, Black, Casavant, Chapman, Crockett, Duprey, Fitzpatrick, Gillway, Harlow, Harvell, Jackson, Johnson D, Knight, Lockman, Malaby, McGowan, McLean, Moonen, Nadeau A, Pease, Peavey Haskell, Plante, Powers, Rykerson.

Yes, 121; No, 6; Absent, 24; Excused, 0.

121 having voted in the affirmative and 6 voted in the negative, with 24 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

On motion of Representative ROTUNDO of Lewiston, the House adjourned at 4:54 p.m., until 9:00 a.m., Monday, March 24, 2014.

Emergency Measure

An Act To Restore Funding in the Maine Budget Stabilization Fund through Alternative Sources

(H.P. 1298) (L.D. 1807)

(C. "A" H-720)

Was reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

Representative BERRY of Bowdoinham **REQUESTED** a roll call on **PASSAGE TO BE ENACTED**.

More than one-fifth of the members present expressed a desire for a roll call which was ordered.

The SPEAKER: A roll call has been ordered. The pending question before the House is Passage to be Enacted. All those in favor will vote yes, those opposed will vote no.

This being an emergency measure, a two-thirds vote of all the members elected to the House being necessary, a total was taken.

ROLL CALL NO. 556

YEA - Beaudoin, Beaulieu, Beavers, Beck, Bennett, Berry, Boland, Bolduc, Briggs, Brooks, Campbell J, Carey, Cassidy, Chase, Chenette, Chipman, Clark, Cooper, Cotta, Crafts, Cray, Daughtry, Davis, DeChant, Devin, Dickerson, Dill, Dion, Doak, Dorney, Dunphy, Espling, Evangelos, Farnsworth, Fowle, Fredette, Frey, Gattine, Gideon, Gifford, Gilbert, Goode, Graham, Grant, Guerin, Hamann, Hayes, Herbig, Hickman, Hubbell, Johnson P, Jones, Jorgensen, Kaenrath, Kent, Keschl, Kinney, Kornfield, Kruger, Kumiega, Kusiak, Lajoie, Libby A, Libby N, Longstaff, Luchini, MacDonald S, MacDonald W, Maker, Marean, Marks, Mason, Mastraccio, McCabe, McClellan, McElwee, Monaghan-Derrig, Moriarty, Morrison, Nadeau C, Nelson, Newendyke, Noon, Nutting, Parry, Peoples, Peterson, Pouliot, Priest, Pringle, Rankin, Reed, Rochelo, Rotundo, Russell, Sanderson, Saucier, Saxton, Schneck, Shaw, Short, Sirocki, Stanley, Stuckey, Theriault, Timberlake, Tipping-Spitz, Treat, Turner, Tyler, Verow, Villa, Volk, Wallace, Weaver, Welsh, Werts, Willette, Wilson, Winchenbach, Winsor, Wood, Mr. Speaker.

NAY - Long.

ABSENT - Ayotte, Black, Campbell R, Casavant, Chapman, Crockett, Duprey, Fitzpatrick, Gillway, Harlow, Harvell, Hobbins, Jackson, Johnson D, Knight, Lockman, Malaby, McGowan, McLean, Moonen, Nadeau A, Pease, Peavey Haskell, Plante, Powers, Rykerson, Sanborn.

Yes, 123; No, 1; Absent, 27; Excused, 0.

123 having voted in the affirmative and 1 voted in the negative, with 27 being absent, and accordingly the Bill was **PASSED TO BE ENACTED**, signed by the Speaker and sent to the Senate.

By unanimous consent, all matters having been acted upon were **ORDERED SENT FORTHWITH**.

Pursuant to his authority under House Rule 201.1 (H), the Chair appointed Representative KNIGHT of Livermore Falls to serve as Speaker Pro Tem when the House convenes on Monday, March 24, 2014.
